

**REGULAR MEETING of the Burrillville Town Council held Wednesday, April 23, 2008 at 7:28 P.M. in the Town Council Chambers, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville.**

**MEMBERS ABSENT: Councilor Cynthia L. Roe was excused due to family illness.**

**1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.**

**2. VOTED to accept the minutes of the regular meetings held March 26 and April 9, 2008; and the public hearing held April 9, 2008; and dispense with the reading of said minutes.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**3. Public Comment:**

**Michele Badessa of Glendale discussed a concern with the operation of a commercial business from a residential property, noting that she had conveyed her concern to Zoning Official Joseph Raymond, Town Manager Michael C. Wood and Councilor Kevin M. Blais. Ms. Badessa also raised a concern that Coastal Recycling had been collecting cardboard generated by a commercial operation. Ms. Badessa attributed her concerns to commercial traffic in the area of Spring Lake Beach. Mr. Wood indicated that the administration had been dealing with the property owner on the first item and would notify the Department of Public Works on the second.**

#### **4. General Good and Welfare of the Town of Burrillville**

**Councilor Margaret L. Dudley reminded those present that April 2008 had been designated Pascoag Utility Appreciation Month. Councilor Dudley recommended that Pascoag Utility employees be thanked for their good work, noting that the district provides electricity at the lowest rates in the state.**

**Councilor Margaret L. Dudley announced the Family Fair to be held on Saturday, May 10, 2008 from 10:00 A.M. to 2:00 P.M. at the Town Common, Harrisville.**

**Councilor Margaret L. Dudley noted that the Burrillville High School Feinstein Club's food drive would continue throughout the month of**

**April; donations can be delivered to the main lobby of the High School.**

**Councilor Norman C. Mainville commented on two volunteer opportunities:**

- Rhode Island Disaster Medical Assistance Team (DMAT) needs volunteers for their open house and exposition to be held Friday, May 2, 2008 from 10:00 A.M. to 7:00 P.M. Councilor Mainville discussed the responsibilities of RI DMAT.**
- Burrillville Gloucester Youth Soccer Association (BGYSA) needs volunteers for their Festival on Saturday, May 31 and Sunday June 1, 2008 at the BGYSA Complex on Route 44 in Gloucester.**

**Councilor John M. Karmozyn, Jr. announced the Burrillville Lions' Club Annual Scholarship Breakfast on May 18, 2008 at the Burrillville Middle School.**

**Councilor Kevin M. Blais raised a concern that the Council had not scheduled budget meetings. Council President Binns referenced the FY2009 Budget Calendar. Councilor Blais recommended workshops prior to the hearings.**

**5. Petitions: None**

**6. Special Business**

**08-124 Correspondence from Carol Fowler, Troop 102 Committee Chairperson, regarding elevation of Brian Lejeune to the rank of Eagle Scout.**

**VOTED that he receive a proclamation from the Town Council if the Town Clerk's office gets enough information to put it together.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-125 Resolution proclaiming April 27 – May 3, 2008 National Volunteer Week**

**Council President Nancy F. Binns noted that a booklet had been compiled listing many of the Town's volunteers. She encouraged submission to the Clerk's office of any names that may have been overlooked.**

**Council President Nancy F. Binns read the following resolution:**

**Burrillville Town Council**

**Resolution**

**WHEREAS the giving of oneself in service to another empowers the giver and the recipient; and**

**WHEREAS volunteers & communities, the center of social change, exercise their power to make a difference; and**

**WHEREAS volunteers are vital to our future as a caring, productive community; and**

**WHEREAS our country's volunteer force of over 64 million people is a great treasure; and**

**WHEREAS in the Town of Burrillville alone, hundreds of people annually volunteer their time & talent to dozens of community ventures, affecting the lives of virtually every member of the community; and**

**WHEREAS during this week, volunteers nationwide will be recognized for their commitment to service.**

**NOW THEREFORE BE IT RESOLVED that we, the Town Council of the Town of Burrillville do hereby proclaim**

**April 27—May 3, 2008**

**National Volunteer Week**

**in the Town of Burrillville, and extend heartfelt thanks to the men, women and children of the community who selflessly donate their time, talent & expertise for the betterment of the community.**

**VOTED to adopt.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-126 VOTED to grant a Class F Liquor license to St. Joseph Roman Catholic Church to apply at the Springfest Dinner to be held on May 3, 2008 at 181 Sayles Avenue, Pascoag (Map 174, Lot 131).**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-127 VOTED to grant an Annual Arcade License to John J. Bateman, Spring Lake Arcade, to apply at 52 Old Hillside Drive, Glendale on property owned by the Town of Burrillville (Map 93, Lot 41).**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members**

**present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

## **7. Unfinished Business:**

**08-115 VOTED to receive and file the correspondence from Council President Nancy F. Binns regarding a workshop with the Senior Center Feasibility Study Committee, rescheduled for Thursday, May 1, 2008 at 7:00 P.M. at the Burrillville High School Media Center, with thanks to the President and the Clerk for setting the meeting.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Kevin M. Blais. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

## **8. New Business:**

**08-128 VOTED to open the correspondence from John P. Mainville, Finance Director, regarding the police station expansion.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M.**

**Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**Discussion: Michael C. Wood, Town Manager, noted that the Town Council had approved the financial planning for the expansion of the police station in the budget. Mr. Wood described the process that would follow, should the Town Council continue its support of the project.**

**Mark Saccoccio of Saccoccio & Associates and Thomas Cabana of Jacobs, Edwards and Kelcey addressed the Town Council, reviewing the details of the conceptual plan, a copy of which is on file with the record of the meeting.**

**Council President Nancy F. Binns discussed specific improvements that she supported. Councilor Margaret L. Dudley asked whether the filled-in basement area under the existing building could be excavated. After discussion, Mr. Cabana suggested that it could not. Councilor Norman C. Mainville discussed the original erection of the police station and the importance of planning for future growth. The inclusion of an elevator was discussed. The flexibility of the design to accommodate growth was reviewed. Funding through Ocean State Power revenues was discussed.**



**Councilor Kevin M. Blais asked how many employees the building would accommodate. There was discussion of present and potential staff. Councilor Kevin M. Blais asked whether the Municipal Court would detract from other space requirements. There was discussion of the multiple uses of the community room. The canopy for the mobile command unit was discussed.**

**VOTED that the Town Council hereby:**

- 1. Supports the conceptual plan for the expansion of the police station; and**
- 2. Authorizes the administration to proceed with advertising an RFP for professional services for the purpose of preparing the design and bid specifications associated with the conceptual design.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr.**

**Councilor Kevin M. Blais suggested tabling the issue until the Town Council had met again with the Senior Center Feasibility Study Committee. The matter was discussed.**

**The motion carried, five in favor, one opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Kevin M. Blais voted in**

**opposition. Councilor Cynthia L. Roe was excused.**

**Michael C. Wood, Town Manager, thanked the staff for their efforts in preparing the conceptual plan.**

**08-129 VOTED to open the correspondence from Steven Welford, Superintendent of Schools, regarding the School Department Five-Year Capital Improvement Plan.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**Discussion:**

**Councilor Margaret L. Dudley recalled assertions that upgrades to the football field would be supported by fundraising. Councilor Dudley recommended that the water pressure issue be addressed sooner and purchase of maintenance equipment be rescheduled.**

**Councilor Kevin M. Blais questioned the inclusion of lighting for the football field in FY2010. Councilor Blais raised concerns related to the budget for maintenance vehicles. Steven Welford, Superintendent of schools listed currently owned vehicles, reviewed plans to acquire**

vehicles and reviewed the difference between budgeting for an item and purchasing an item through the bid process. School Department practices related to snow plowing were discussed. Councilor Blais offered to meet with the Superintendent and the Manager relative to snow plowing.

Council President Nancy F. Binns commended the School Department for their efforts in budgeting for energy saving items, including lighting. The matter was discussed.

Councilor Norman C. Mainville commended the Superintendent for his efforts in compiling the five-year plan.

**VOTED to receive and file.**

Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.

**08-130 VOTED to accept with regret the resignation of Susan Sgambato from the Burrillville Recreation Commission; and to refer the vacancy to the Screening Subcommittee; to be considered and acted on.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-131 VOTED to accept with regret the resignation of Robert P. Peloquin from the Redevelopment Agency; to appoint Mark Brizard (alternate member) as a member of the Redevelopment Agency to complete Mr. Peloquin's term; and to refer the vacancy to the Screening Subcommittee; to be considered and acted on.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**Pending and proposed legislation:**

**08-132 Correspondence from Don C. Wolfe, Chairman, Burrillville Sewer Commission, regarding the Commission's request for the Town Council's opposition to House Bill 2008 – H 7742, An Act**

**relating to Health and Safety - Incinerator Ban.**

**VOTED to support the Sewer Commission's request to oppose House Bill 2008 – H7742 and to send letters to our legislators.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-133 VOTED to declare surplus certain items, as listed, as requested by Edward J. Pienkos, Information Systems Manager.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-134 VOTED to open consideration and action on proposed amendments to Council Rules of Order.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members**

**present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**Discussion: Councilor Margaret L. Dudley noted that she had requested the resolution to provide means for the Town Council to prevent a Councilor from discussing a police issue with the press. Councilor Dudley explained the intent of her proposal and supported the resolution as presented. Councilor Kevin M. Blais listed and explained his concerns about the resolution as presented. These issues were discussed.**

**MOTION to adopt proposed amendments to Council Rules of Order, as follows:**

**Burrillville Town Council  
Resolution**

**The Burrillville Town Council hereby ordains as follows:**

**The Burrillville Town Council Rules of Order adopted April 11, 2007, are hereby amended by adding the following to Rule 9 – Intragovernment Communication/Interaction**

**C. Confidential information.**

**1. In the course of their duties, councilors may receive information through the administration about events in the community that may need to be treated as confidential. Councilors must not use or disclose confidential information.**

**2. If a councilor has any doubt whether information should be released to the public or the press, he/she will contact the council president or the town manager for authorization to disclose the information. The town manager or town council president may at his/her discretion, refer the councilor to the chief of police for authorization.**

**3. In the case of police matters, councilors will make no public statements to the public or press unless authorized by the public safety director. The public safety director may at his/her discretion refer the councilor to the chief of police or designated police information officer for authorization to make public statement(s).**

**4. If a councilor transgresses these rules, the council reserves the right to vote to instruct the administration that the member who transgressed the rule will be excluded from future confidential communications from the administration for a period of time to be established by a majority vote of the Town Council.**

**Adopted as a resolution of the Burrillville Town Council this 23rd day of April 2008.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees.**

**Councilor Norman C. Mainville commented upon appropriate communication procedures.**

**MOTION to call the questions.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The motion carried, five in favor, one opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Kevin M. Blais voted in opposition. Councilor Cynthia L. Roe was excused.**

**The vote on the main motion carried, five in favor, one opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Kevin M. Blais voted in opposition. Councilor Cynthia L. Roe was excused.**

**08-135 Correspondence from Jean M. Fecteau, Gloucester Town Clerk, regarding the Gloucester Town Council's request for support of their resolution requesting amendments to §45-62. – Dam Management Districts.**

**MOTION to support and to request our legislative delegation that they support it and that this be forwarded to all cities and towns asking for**



**their support.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley.**

**NOTE: Councilor Wallace F. Lees recused from discussion and voting on item #08-135.**

**AMENDMENT TO THE MOTION: To send a “thank you” to the Town of Gloucester for the work that they put into this; and that if and when this passes the legislature, that we hold joint hearings with them in that area so that we are all on the same page.**

**Amendment by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was five in favor, one refusal, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Wallace F. Lees refused. Councilor Cynthia L. Roe was excused.**

**The vote on the main motion was five in favor, one refusal, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Wallace F. Less refused. Councilor Cynthia L. Roe was excused.**

## **9. Town Clerk/Communication:**

**08-136 VOTED to receive and file the correspondence from Mary E. Morgan, Richmond Town Clerk, regarding the Richmond Town Council's filing of correspondence related to House Bill 2008 – H7448.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-137 VOTED to receive and file the copy of correspondence from Steven Welford, Superintendent of Schools to Governmental Health Group of RI (GHGRI) regarding the School Committee's authorization to execute a contract between the School Department and GHGRI; and to send a note of thanks to the School Committee.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-138 VOTED to receive and file the correspondence from DEM to LDD Enterprises, LLC regarding insignificant alteration permit application #07-0266 in reference to property near the intersection of Douglas Pike and Bronco Highway (Map 114, Lot 16).**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-139 VOTED to receive and file the resolution of the Newport City Council regarding the termination of use of toxic poisons in Newport's mosquito abatement program.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**08-140 VOTED to receive and file the FERC Notice of Intent relative to Algonquin Gas Transmission, LLC, Docket No. PF07-15-000 (East to**

**West Hubline Expansion Project).**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**10. VOTED that reports 1 through 24, as received, be received and filed:**

- 1. Town Treasurer: Report of March 2008**
- 2. Burrillville Sewer Commission: Reports of February & March 2008 and Meetings of February 12 & March 11, 2008 (rescheduled for March 26, 2008)**
- 3. Tax Collector: Report of March 2008**
- 4. Department of Public Works: Report of March 2008**
- 5. Chief of Police: Report of March 2008**
- 6. Office of Building Official: Report of March 2008**
- 7. Animal Control Officer: Report of March 2008**
- 8. Burrillville Housing Authority: No report**
- 9. Planning Board/Town Planner: Meeting of March 3, 2008**
- 10. Zoning Board of Review: No report**
- 11. Parks and Recreation Department: Reports of March & April 2008**
- 12. Information Systems Department: Report of April 2008**

- 13. Burrillville Conservation Commission: February 12, 2008**
- 14. Ordinance Subcommittee: Meetings of December 24, 2007 and January 11 & February 22, 2008**
- 15. Redevelopment Agency: Meetings of February 26, 2008f**
- 16. B-PAC: No report**
- 17. Personnel Board: Meeting of February 26, 2008**
- 18. Screening Subcommittee: Meeting of February 19, 2008**
- 19. Budget Board: Meetings of Jan 14, 17, 31, Feb 5, 7, 21, 28, Mar 6 & 13, 2008**
- 20. Library Building Committee: Meeting of March 12, 2008**
- 21. Library Fundraising Committee: No report**
- 22. Burrillville School Committee: Meetings of December 11 & 20, 2007; January 8, 2008**
- 23. Senior Center Feasibility Study Committee: Meetings of March 5 & 19; April 2, 2008**
- 24. Emergency Management Agency: Meeting of March 13, 2008**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**11. Additional New Business:**

## **08-141 Request for Executive Session:**

**2) From Council President Nancy F. Binns pursuant to Rhode Island Open Meeting Act [§42-46-5(a)(1)] for discussion relating to the job performance of Councilor Kevin M. Blais in his capacity as liaison to the Zoning Board of Review.**

**Notes: Kevin M. Blais was duly notified in advance in writing of this request for Executive Session; he was notified and advised that he could require that the discussion be held at an open meeting. Councilor Kevin M. Blais required that the discussion be held at an open meeting.**

**Council President Nancy F. Binns announced that item #08-142 would be taken up at this point on the agenda.**

**08-142 Correspondence from Council President Nancy F. Binns regarding her request for discussion and action relating to the position of Councilor Kevin M. Blais in his capacity as liaison to the Zoning Board of Review.**

**Councilor Kevin M. Blais noted, for the record, that he had not changed his mind; that he had wished for that all along.**

**VOTED to open Correspondence from Council President Nancy F. Binns regarding her request for discussion and action relating to the**

**position of Councilor Kevin M. Blais in his capacity as liaison to the Zoning Board of Review.**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**Discussion: Council President Binns referenced the April 9, 2008 letter from the Zoning Board of Review and a partial transcript of the March 11, 2008 Zoning Board hearing, copies of which are on file with the record of the meeting. At the request of Council President Nancy F. Binns, Raymond Cloutier, Chairman, Burrillville Zoning Board of Review, addressed the Town Council. Mr. Cloutier described increasing instances of Councilor Blais interjecting himself into the proceedings of the Board. Mr. Cloutier said that Councilor Blais' referencing his role as Town Councilor, as well as liaison to the Zoning Board, had created an untenable situation.**

**Patrick J. Dougherty, Assistant Town Solicitor to the Zoning Board, addressed the Town Council. Mr. Dougherty supported Mr. Cloutier's comments, describing Councilor Blais' conduct as disruptive and characterized such interjection into the proceedings of a quasi-judicial body as improper. Mr. Dougherty cited examples of the**

alleged interference, described the appropriate role of a liaison, referenced the on-going zoning case involving Councilor Blais, and suggested that the relationship was improper.

Councilor Kevin M. Blais disputed the assertions made by Mr. Cloutier and Mr. Dougherty. Councilor Blais said that he had rarely spoken at Zoning Board hearings and never spoken as a liaison. Councilor Blais objected to the partial transcript. The transcript was discussed.

Councilor Blais discussed his concerns with the request that the Zoning Board heard on March 11, 2008 and recounted his testimony before the Zoning Board on that date. Councilor Blais and Attorney Dougherty differed on the particulars of that testimony. Councilor Blais discussed the Zoning Board's apparent unease, noting that the Board had not voted to request his removal as liaison.

The transcript of the March 11, 2008 meeting was further discussed. Council President Nancy F. Binns indicated that she had listened to the audio tape of the March 11, 2008 meeting and confirmed that the transcript was accurate. There was disagreement on the content of the transcript.

The role of liaison was defined and discussed. There was disagreement of whether Councilor Blais' represented himself before the Zoning Board as a Council liaison during his testimony. The



**matter was discussed. Council President Nancy F. Binns voiced concern with a member of the Council challenging the decisions of the Zoning Board sitting in their official, quasi-judicial capacity.**

**MOTION to remove Mr. Blais as liaison to the Zoning Board.**

**Motion by Councilor Margaret L. Dudley.**

**Timothy F. Kane, Town Solicitor, responding to a question about a possible ethics conflict, cited several reasons that it might be in everybody's interests to remove Councilor Blais as liaison from the Zoning Board.**

**MOTION that the Council remove Mr. Blais as the liaison to the Zoning Board of Review.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The motion carried, five in favor, one recusal, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, John M. Karmozyn Jr. and Norman C. Mainville. Councilor Kevin M. Blais recused. Councilor Cynthia L. Roe was excused.**

**Councilor Kevin M. Blais made the following closing statement: "It has been a pleasure to serve the taxpayers, as it has always been a pleasure. And it had been a privilege to be the liaison to the Zoning**

**Board. It is unfortunate of the absolute unethical behavior that I actually was a part of with Mr. Dougherty and what transpired on that March meeting. It was an embarrassment. Thank you.”**

**08-141 MOTION to grant the following requests for Executive Session:**

**Motion by Councilor Wallace F. Lees. Seconded by Councilor Norman C. Mainville.**

**1) From Timothy F. Kane, Town Solicitor, pursuant to Rhode Island Open Meeting Act [§42-46-5(a)(2)] to consider, discuss and act on litigation matters: SU-05-0035 Town of Burrillville v. Pascoag Apt. Assoc., LLC; Yorkshire Properties; Crystal Lake Builders, LLC; and East Avenue Development Realty, LLC, alias; and**

**3) From Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Law [42-46-5 (a)(3)] pertaining to security.**

**The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**There was a brief recess before executive session.**

**The Council returned to open session at 10:30 P.M.**

**VOTED to seal the minutes of executive session, noting that two votes had been taken.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**12. VOTED to adjourn at 10:30 P.M.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe was excused.**

**The meeting was taped. The tape is on file with the record of the meeting.**

**Louise R. Phaneuf, Town Clerk**